

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

WILHAN MARTONO

NO. 3:20-CR-274-N

**MOTION TO CONTINUE SENTENCING HEARING**

The United States of America (the government) respectfully asks the Court to continue the defendant's November 14<sup>th</sup> sentencing hearing, based on the current illness of government's counsel. In support of its motion, the government states the following:

1. The defendant is set to be sentenced on November 14, 2022.
2. On November 12, 2022, government's counsel tested positive for COVID-19, after caring for another family member who had become ill with the virus. Government's counsel is currently experiencing symptoms of the virus, and current CDC guidance recommends that he stay at his home for at least five (and up to ten) days to isolate from others.
3. Government's counsel is the only prosecutor assigned to this case; the other prosecutors previously assigned to the case are no longer working for the government. Due to the recency of his illness, government's counsel has not had sufficient time to prepare another prosecutor to adequately represent the government at the sentencing hearing, which may present significant issues concerning the Sentencing Guidelines, the Section 3553(a) factors, and restitution.

4. This motion is not made for the purpose of delay.
5. Accordingly, the government asks that the Court continue the defendant's sentencing hearing for at least ten (10) days, to ensure government's counsel's ability to attend.

Respectfully submitted,

CHAD E. MEACHAM  
UNITED STATES ATTORNEY

/s/ John J. de la Garza III  
JOHN J. DE LA GARZA III  
Assistant United States Attorney  
Texas Bar No. 00796455  
1100 Commerce Street, Third Floor  
Dallas, Texas 75242-1699  
Phone: 214-659-8682  
Email: [john.delagarza@usdoj.gov](mailto:john.delagarza@usdoj.gov)

**CERTIFICATE OF CONFERENCE**

I certify that on the evening of November 13, 2022, I emailed the defendant's attorney, Peter Barrett, seeking his client's position on continuing the sentencing hearing, but had not yet received a response from him at the time of this motion's filing.

/s/ John J. de la Garza III  
JOHN J. DE LA GARZA III  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I certify that I filed this motion via the ECF system on November 13, 2022, and the system sent a copy to all parties and counsel who had consented to service via ECF.

/s/ John J. de la Garza III  
JOHN J. DE LA GARZA III  
Assistant United States Attorney